

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	1625.00
COMPLAINT INVESTIGATOR:	Steve Starbuck
DATE OF COMPLAINT:	September 28, 2000
DATE OF REPORT:	October 24, 2000
REQUEST FOR RECONSIDERATION:	yes
DATE OF CLOSURE:	November 20, 2000

COMPLAINT ISSUES:

Whether the Northern Community School Corporation of Tipton County and the Kokomo Area Special Education Cooperative violated:

511 IAC 7-27-6 with regard to the school's alleged failure to ensure that all required components were included in student A's individualized education program (IEP).

511 IAC 7-27-3 with regard to the school's alleged failure to ensure that the case conference committee (CCC) for student A was properly constituted with the requisite participants.

511 IAC 7-10-2 with regard to the school's alleged failure to implement general education interventions in accordance with its written procedures for student B whose classroom performance adversely affected educational outcomes during the 1999-2000 school year.

FINDINGS OF FACT:

1. Student A is twelve years old and attends the seventh grade. The student has been determined eligible for special education due to a learning disability. Student B has never been determined eligible for special education, and withdrew from school on March 2, 2000, to live with his mother who resides outside of the special education planning district's area.
2. The duration of Student A's IEP dated May 3, 2000, is from August 15, 2000, to May 1, 2001. All IEP components specified in 511 IAC 7-27-6 have been incorporated in student A's IEP and CCC Report dated May 3, 2000. The parent signed the IEP on May 3, 2000, indicating approval of the recommendations made by the CCC and giving permission for the IEP to be implemented.
3. The CCC Report dated May 3, 2000, indicates the following individuals participated in the student's CCC meeting: the chairperson, who is a public agency representative with the authority to commit agency resources, the student's teacher of record, one of the student's general education teachers, and the parent. The director provided information to document that the chairperson has received appropriate training in special education rules and regulations to chair CCC meetings.
4. Student B's semester grades for the 1997-1998, 1998-1999 school years, and the first semester of the 1999-2000 school year reflect a consistent grade average over the two and a half year period. During this time, the student maintained a C grade average. For the first semester of the 1999-2000 school year, the student's grades went down one-half letter grade in two subjects and went up one-half letter grade in two subjects. The director reports in her response that neither school

personnel nor the student's parents requested general education intervention services for the student.

CONCLUSIONS:

1. Finding of Fact #2 reflects the school ensured that all required components were included in student A's IEP and CCC Report dated May 3, 2000. Therefore, no violation of 511 IAC 7-27-6 is found.
2. Finding of Fact #3 indicates the school ensured that the CCC meeting convened for student A on May 3, 2000, was properly constituted with the requisite participants. Therefore, no violation of 511 IAC 7-27-3 is found.
3. Finding of Fact #4 reflects that the student did not exhibit classroom performance that adversely affected educational outcomes during the 1999-2000 school year. Therefore, no violation of 511 IAC 7-10-2 is found.

The Department of Education, Division of Special Education, requires no corrective action based on the Findings of Fact and Conclusions listed above.

DATE REPORT COMPLETED: October 24, 2000